

DEPARTMENT OF HEALTH & MENTAL HYGIENE
Nelson Sabatini, M.D., Secretary

COMMUNITY HEALTH ADMINISTRATION
Diane L. Matuszak, MD, MPH, Director



MEMORANDUM

DATE: April 14, 2003 **HO Memo #03-028**

TO: Health Officers
Directors of Nursing
Communicable Disease Directors
Environmental Health Directors

FROM: Nancy G. Baruch, RN, MBA
Division of Tuberculosis Control, Refugee and Migrant Health
Division of Sexually Transmitted Disease and HIV Partner Services

THROUGH: John P. Krick, Ph.D., Director
Epidemiology and Disease Control Program

SUBJECT: **HIPPA Privacy Rule and Public Health**

This memorandum is to notify you of the recently released CDC *Morbidity and Mortality Weekly Report (MMWR)* HIPPA Privacy Rule and Public Health, Guidance from CDC and the U.S. Department of Health and Human Services (DHHS), April 11, 2003/52;1-12. This guidance was developed to assist the public health care provider community in understanding and interpreting their responsibilities under the Privacy Rule.

The Privacy Rule establishes national standards for protecting the privacy of health information. The Privacy Rule regulates the use and disclosure of specific health information by certain entities while ensuring that public health authorities are able to collect and receive necessary information, without individual authorization, for the purposes of preventing or controlling disease, injury, or disability. Permitted disclosures without authorization include, but are not limited to, the following:

- When disclosure of such information is required by law, whether state, local, tribal or federal. This would include state communicable disease reporting.
- When the information is needed by public health authorities and/or their designated agents for the purposes of public health surveillance, investigations, and interventions. This would apply to TB contact investigations, response to STD disease outbreaks, and other targeted public health interventions.
- When information is needed for health research purposes after obtaining institutional review board (IRB) approval.

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The full document can be viewed online at <http://www.cdc.gov/mmwr> or <http://www.cdc.gov/mmwr/pdf/other/m2e411.pdf> The entire document should be reviewed and retained for reference. Please share this reference with private providers and laboratories in your jurisdiction as appropriate.

If you have any questions or need additional information, please contact Scott Tulloch at 410-767-0859 or Nancy Baruch at 410-767-6698. You may also wish to contact Kathy Chavis, the DHMH Privacy Officer/HIPAA Project Manager at 410-767-0959 for specific questions and concerns.

ATTACHMENT

cc: J. Krick
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